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8 *and Brenda Hernandez*

FILED
DISTRICT COURT OF GUAM

SEP - 9 2003

MARY L. M. MORAN
CLERK OF COURT

14

11 **IN THE UNITED STATES DISTRICT COURT**
12 **DISTRICT OF GUAM**

13 CLARISSA F. TOVES,
14 CHRISTINE D. GUZMAN,
15 BRENDA L. HERNANDEZ,

16 Plaintiffs

17 vs.

18 RAYTHEON TECHNICAL SERVICES,
19 GUAM, INC., SODEXO MARRIOTT
20 SERVICES, INC., NANA SERVICES,
21 LLC., MARIE KRAUSS,
22 JOSEPH MAJKA, and
23 Does I through XX,

24 Defendants.

Civil Case No. 03-00018

**SCHEDULING
ORDER**

25 Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure and the Local Rule
26 16.1 for the District Court of Guam, the parties hereby submit the following Scheduling Order:

- 27 1. The nature of the case is as follows: Plaintiffs filed suit against their employers, Raytheon
28 Technical Services, Guam, Inc., Sodexo Marriott Services, Inc. Nana Services, LLC, and the
employer's agents, Marie Krauss and Joseph Majka and others under Title VII of the Civil
Rights Act, alleging that they were discriminated against in their terms and conditions of their

1 employment. Defendants have filed Answers and amended Answers, and Defendant Nana
2 Services has filed its Cross Claim against Sodexo Marriott Services.

3 2. There are no motions pending or filed in this matter. Discovery has not been initiated by any
4 party at this time.

5 3. All motions to add parties and claims shall be filed on or before **October 10, 2003** and heard
6 on **November 3, 2003** at 2:00 p.m.

7 4. All motions to amend pleadings shall be filed on or before **October 10, 2003** and heard on
8 **November 3, 2003** at 2:00 p.m.

9 5. Status of Discovery:

10 a) The times for disclosures under Rule 26(a) and 26(e) of the Federal Rules of Civil
11 Procedure are modified as follows:

12 1. The "initial disclosures" described in subsections (A), (B), (C) and (D) of the
13 FRCivP Rule 26(a)(1) shall be exchanged by **September 15, 2003**. [Pursuant
14 to local rules, these are not to be filed]

15 2. The disclosure of expert testimony by plaintiffs' experts shall be made not
16 later than **January 9, 2004**. The disclosure of expert testimony by
17 defendants' experts shall be made by **February 20, 2004**;

18 3. The "pretrial disclosures" described in FRCivP Rule 26()(3)(A), (B) and (C)
19 shall be made at least thirty (30) days before the trial date or by **August 20,**
20 **2004**;

21 b) The following is a description and schedule of all pretrial discovery each party intends
22 to initiate prior to the close of discovery;

23 **Plaintiffs:** Interrogatories, Requests to Produce, Admissions and depositions;

24 **Defendants:** Interrogatories, Requests to Produce, Admissions and depositions;

25 6. ~~The parties shall appear before the District Court on **September 9, 2003** at **4:00 p.m.** for the~~
26 ~~initial scheduling conference;~~

1 7. The discovery cut-off date (defined as the last day to file responses to discovery) is April ²³~~25~~,
2 2004;

3 8. The anticipated discovery motions are Motions to Compel or Motions for Protective Orders.

4 All discovery motions shall be filed on or before May ¹⁴~~16~~, 2004, and heard on or about June
5 ¹¹~~13~~, 2004 at 11:00 a.m.

6 9. The anticipated dispositive motions are Motions for Summary Judgment. All dispositive
7 motions shall be filed on or before May ¹⁴~~16~~, 2004, and heard on or about June ¹¹~~13~~, 2004 at
8 11:00 a.m.

9 10. The prospects for settlement are unknown at this time;

10 11. The Preliminary Pre-Trial Conference shall be held on **August 31, 2004** at 9:00 a.m. (no later
11 than twenty-one (21) days prior to trial);

12 12. The parties' pretrial materials, discovery materials, witness lists, designations and exhibit lists
13 shall be filed on or before **August 23, 2004**;

14 13. The proposed Pre-Trial Order shall be filed on or before **September 7, 2004** (no later than
15 fourteen (14) days prior to trial);

16 14. The Final Pre-Trial Conference shall be held on **September 14, 2004 at 3:00 p.m.** (seven (7)
17 days prior to trial);

18 15. The trial shall be held on **September 21, 2004 at 9:00 a.m.**

19 16. The trial is a jury trial;

20 17. It is anticipated that the trial will take 3 weeks to try;

21 18. The names of counsel are as follows:

22 For Plaintiffs: Sandra D. Lynch
23 251 Martyr Street
24 Suite 101
Hagatna, Guam 96910
Telephone: (671) 472-6848
Fax: (671) 477-5790

25 For Defendant
26 Marie Krauss Not identified
27
28

1 For Defendant
2 Joseph Majka Not identified

3 For Defendant
4 Raytheon Technical
5 Services
6 Frederick J. Horecky
7 Horecky & Associates
8 1st Floor, J. Perez Bldg.
9 138 Seaton Blvd.
10 Hagatna, Guam 96910
11 Telephone: (671) 472-8275/6
12 Fax: (671) 472-8403

13 For Defendant
14 Sodexo Marriott
15 R. Todd Thompson
16 Mair Mair Spade & Thompson
17 Suite 807, GCIC Bldg.
18 414 West Soledad Avenue
19 Hagatna, Guam 96910
20 Telephone: (671) 472-2089
21 Fax: (671) 477-5206


22 For Defendant
23 Nana Services
24 David W. Dooley
25 Dooley Lannen Roberts & Fowler
26 Suite 201, Orlean Pacific Plaza
27 865 S. Marine Drive
28 Tamuning, Guam 96911
Telephone: (671) 646-1222
Fax: (671) 646-1223

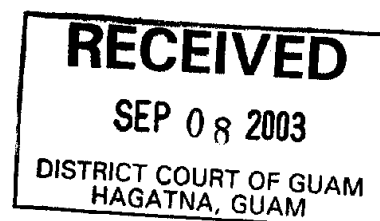
2. The parties wish to submit this case to a settlement judge;

3. The following issues will affect the status or management of the case:

- a) At least one of the defendants is an off island resident;
b) Some of the witnesses are off island residents.

Dated this **SEP 09 2003**



HONORABLE JOHN S. UNPINGCO
Chief Judge, District of Guam



1 **Submitted by:**

2 LAW OFFICE OF SANDRA D. LYNCH


3
4 By:


Sandra D. Lynch, Esq.
Attorney for Plaintiffs

6
7 **Approved By:**

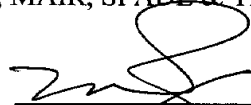
8 LAW OFFICES OF HORECKY & ASSOCIATES

9
10 By:


Frederick J. Horecky, Esq.
Attorneys for Defendant Raytheon Technical
Services Guam, Inc.

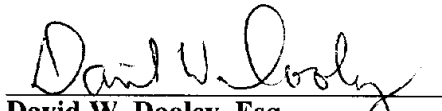
MAIR, MAIR, SPADE & THOMPSON

By:


R. Todd Thompson, Esq.
Attorneys for Defendant Sodexo
Marriott Services, Inc.

12 DOOLEY LANNEN ROBERTS & FOWLER

13
14 By:


David W. Dooley, Esq.
Attorneys for Defendant Nana Services LLC